

**KRONENBERGER HANLEY, LLP**

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Attorneys for Plaintiff GARY KREMEN

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA****GARY KREMEN**, an individual,

Plaintiff,

vs.

**AMERICAN REGISTRY FOR INTERNET  
NUMBERS, LTD.**, a Virginia corporation,

Defendant.

Case No. C 06-2554 JW

**DECLARATION OF KARL S.  
KRONENBERGER  
IN SUPPORT OF PLAINTIFF'S  
OPPOSITION TO MOTION OF  
AMERICAN REGISTRY OF INTERNET  
NUMBERS, LTD. TO DISMISS  
PLAINTIFF'S COMPLAINT  
PURSUANT TO RULE 12(b)(6), OR,  
ALTERNATIVELY, FOR A STAY**KRONENBERGER HANLEY, LLP  
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**DECLARATION OF KARL S. KRONENBERGER**

I, Karl S. Kronenberger, declare the following:

1. My firm is counsel to Plaintiff Gary Kremen in the above-captioned matter.

In my capacity as counsel for Plaintiff, I have had multiple phone conversations with, and exchanged correspondence with, counsel for Defendant American Registry of Internet Numbers, Ltd. ("ARIN"), regarding both this matter and the related case of *Kremen v. Cohen*, Case No. C-98-20718-JW, which has been deemed a case related to the current action and presently before this Court.

2. My firm, and associated co-counsel of record for Gary Kremen in *Kremen v. Cohen*, have made multiple formal and informal requests for information from ARIN for any documentation of the following: a) any agreement between ARIN and Stephen Cohen concerning IP addresses identified and subject to the order of this Court dated Sept. 7, 2001 in the matter of *Kremen v. Cohen*, also at issue in the present case; b) a confirmation of the existence or nonexistence of such agreement; and/or c) information regarding when such agreement was entered, if the agreement does exist.

3. Defendant ARIN refused to comply with our informal requests, refused to comply with our requests by way of subpoena in July of 2005, and refused to comply with our requests by way of an additional subpoena issued in July 2006.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: August 21, 2006.

s/ Karl S. Kronenberger

Karl S. Kronenberger